

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application No.: 10/538,664 Confirmation No.: 7299
Applicant(s): Stephen J. KEMP et al.
Int'l Application No.: PCT/GB02/05588
Int'l Application Filed: December 10, 2002
Title: DATA MODEL DEVELOPMENT TOOL
TC/A.U.: Not yet assigned
Examiner: Not yet assigned
Docket No.: 86769-0020
Customer No.: 30398

DECLARATION IN SUPPORT OF RESPONSE TO DECISION UNDER 37 C.F.R. §1.47(a)/
RENEWED PETITION UNDER 37 C.F.R. §1.47(a)

Commissioner for Patents
Box: Missing Parts
Washington, D.C. 20231

Sir:

In support of a Renewed Petition Under 37 C.F.R. 1.47(a) for the above-referenced patent application, I, David D. Nelson, declare that I am a registered Patent Attorney, Registration No. 47,818, that I represent Accenture Global Services GmbH in connection with the preparation and prosecution of the present patent application, and that I am authorized to make the following statements:

(1) Accenture Global Services GmbH is a wholly owned subsidiary of Accenture Inc. Accenture Global Services GmbH is a corporation of Switzerland and principally located at Geschäftshaus Herrenacker 15, 8200 Schaffhausen, Switzerland. Accenture Global Services GmbH is the owner of the invention embodied in the above listed application, and an assignment from three of the four inventors (Kemp, Nicholson and Decraene), and is recorded at Real 018775/ Frame 0312.

(2) Mr. David Hillewaere is an employee of Accenture Inc, and as part of his employment duties, he participated in the development of the subject matter of the above-referenced patent application.

(3) The last known address for Mr. Hillewaere is:

Legeweg 17, 9308

Aalst, Belgium

(4) Mr. Hillewaere had previously executed formal documents in a parent patent application filed in the United Kingdom.

(5) October 27, 2006, I then sent by Federal Express to Mr. Hillewaere a letter forwarding copies of application as filed and the Declaration for Patent Application. At that time, I did not have an address for Mr. Hillewaere, and I instead sent the letter to his employer. A copy of the letter, along with the Federal Express printout showing receipt of the letter was attached as Attachment 2 to the original Petition under 37 C.F.R. 1.47(a). Although the letter has a signature line for my supervisor "Celine Jimenez Crowson," please note that my initials DDN appear in the signature and in type below the signature, and that I actually signed the letter.

(6) On December 14, 2006, I received the above last known address for Mr. Hillewaere, and I then sent by Federal Express to Mr. Hillewaere at the last known address a letter forwarding a complete copy of actual application as filed and a Declaration for Patent Application. A copy of the letter, along with the Federal Express printout showing receipt of the letter is attached hereto as **Attachment A**. Although the letter has a signature line for my supervisor "Celine Jimenez Crowson," please note that my initials DDN appear in the signature and in type below the signature, and that I actually signed the letter.

(7) On April 26, 2007, I again sent by Federal Express to Mr. Hillewaere at the last known address a letter forwarding copies of application as filed and the Declaration for Patent Application. A copy of the letter, along with the Federal Express printout showing delivery of the letter was refused is attached hereto as **Attachment B**. Although the letter does not expressly state this fact, I hereby attest that the package also include enclosed a complete

U.S. Patent Application No. 10/538,664

Declaration in Support of Renewed Petition under 37 C.F.R. 1.47(a) dated May 25, 2007

In Response to Decision dated January 25, 2007 Denying Petition under 37 C.F.R. 1.47(a)

copy of the application as filed, and I note that the bottom of the letter indicates that the letter included "Enclosures." An online telephone directory search for a "David Hillewaere" in Belgium only identifies the above listed last known address, and a print out of the search is appended hereto as **Attachment C**. Since the package was returned to us as undeliverable to last known address, we urge that Mr. Hillewaere must at this time be considered uncooperative or unreachable.

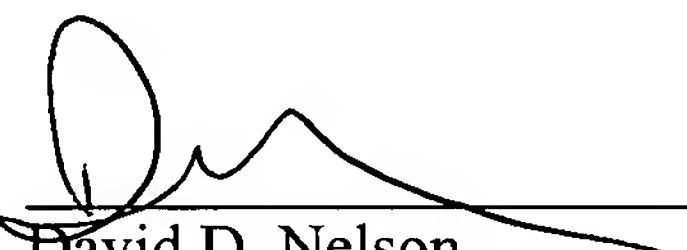
(8) I have received no other response or correspondence from Mr. Hillewaere. I have made repeated attempts to contact Mr. Hillewaere by telephone and e-mail without a response. I make this declaration to prevent abandonment of the subject patent application as Mr. Hillewaere, are required to execute the Declaration and Power of Attorney but have not yet done so.

I further declare that all statements made herein of my own knowledge are true; that all statements made on information and belief are believed to be true; that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001; and that such willful false statements may jeopardize the validity of the application or document or any resulting registration resulting therefrom.

Respectfully submitted,

Dated: May 25, 2007

By:


David D. Nelson
Registration No. 47,818

Hogan & Hartson, L.L.P.

555 13th St., N.W.

Washington, DC 20004

Telephone: (202) 637-5497

Facsimile: (202) 202-637-5910

Customer No. 30398



ATTACHMENT A

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HARTSON



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December 14, 2006

Celine Jimenez Crowson
Partner
(202) 637-5703
cjcrowson@hhlaw.com

BY FEDERAL EXPRESS

Mr. David Hillewaere
Legeweg 17, 9308
Aalst, Belgium

Re: U.S. Patent Application No. 10/538,664
Title: DATA MODEL DEVELOPMENT TOOL
Inventor(s): KEMP, Stephen J. et al.
Your Ref: D02-066/01472-00/US
Our Ref: 86769-0020

Dear Mr. Hillewaere:

Enclosed is a copy of the Application as filed in the above referenced matter.

In addition, we have enclosed a declaration for your execution. Upon receipt of the declaration we will file in the U.S. Patent and Trademark Office.

We wish to remind you of an Applicant's continued duty to disclose all information which is material to the patentability of the claims. If you are aware of relevant prior art which should be considered by the Examiner, please let us know immediately.

We will keep you informed of further developments as they occur. In the meantime, should you have any questions or comments, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Celine Jimenez Crowson".

Celine Jimenez Crowson
CJC/DDN/rrh

Enclosures

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Tracking number 799053698060
Signed for by .ILLEGIBLE
Ship date Dec 14, 2006
Delivery date Dec 18, 2006 10:44 AM

Reference D02-066/01472-0
0/US
Destination AALST BE
Service type INTL Economy

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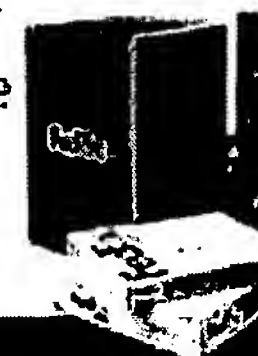
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ATTACHMENT B

Track Shipments
Detailed Results[? Quick Help](#)

Tracking number	859142416930	Reference	CM# 86769-0020
Ship date	Apr 26, 2007	Destination	AALST, BELGIUM BE
		Service type	Priority Envelope
		Weight	0.7 lbs.

Status Delivery exception

Date/Time	Activity	Location	Details
May 10, 2007	11:53 AM Package returned to shipper	MELSBROEK BE	Return tracking number: 658690753250
	7:11 AM At local FedEx facility	MELSBROEK BE	
May 9, 2007	6:05 AM At local FedEx facility	MELSBROEK BE	
May 8, 2007	8:29 AM At local FedEx facility	MELSBROEK BE	
May 7, 2007	4:46 AM At local FedEx facility	MELSBROEK BE	
May 4, 2007	6:13 AM At local FedEx facility	MELSBROEK BE	
May 3, 2007	7:18 AM At local FedEx facility	MELSBROEK BE	
May 2, 2007	4:46 PM At local FedEx facility	MELSBROEK BE	
Apr 30, 2007	10:10 AM Delivery exception	MELSBROEK BE	Incorrect address
	7:29 AM At local FedEx facility	MELSBROEK BE	
	1:56 AM In transit	MELSBROEK BE	
Apr 29, 2007	6:36 AM Int'l shipment release	MELSBROEK BE	
	6:36 AM Int'l shipment release	MELSBROEK BE	
Apr 27, 2007	10:26 PM Departed FedEx location	PARIS FR	
	7:39 PM Arrived at FedEx location	PARIS FR	
	7:39 PM Int'l shipment release	PARIS FR	
	3:13 AM Departed FedEx location	INDIANAPOLIS, IN	
	12:58 AM Arrived at FedEx location	INDIANAPOLIS, IN	
Apr 26, 2007	9:45 PM Left origin	WASHINGTON, DC	
	6:52 PM Picked up	WASHINGTON, DC	

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Language

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updatesDelivery
updates

English
English
English
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FedEx International Air Waybill

0246/0250/003479842/1

Sender's Copy

1 From Please print and press hard.

Date 09/26/07 Sender's FedEx Account Number 0200-0273-5

Sender's Name David Nelson Phone

Company HOGAN & HARTSON LLP

Address

Address 555 13TH ST NW STE 800

City WASHINGTON State DC

Country US ZIP Postal Code 200041109

2 To

Recipient's Name Mr. David Hillenbrand Phone

Company

Address Keegan 17, 9308 Dept./Floor

Address

City Aulst State Province

Country Belgium ZIP Postal Code 9308

Recipient's Tax ID Number for Customs Purposes e.g. GST/REG/VAT/NEIN/VARN, or as locally required.

3 Shipment Information

Total Packages Shipper's Load and Count/SLAC For EU Only: Tick here if goods are not in free circulation and provide CI.

Weight lbs kg DIM in cm

Commodity Description DETAIL REQUIRED Harmonized Code Country of Manufacture Value for Customs REQUIRED

Has EES/SED been filed in AEST? No EES/SED required, value \$2,500 or less per Sch. B Number. For U.S. Export (only, check one) No EES/SED required, enter exemption number: If other than NLA, enter License Exemption: Total Declared Value for Customs (Specify Currency)

Yes - Enter AES proof of filing number:

4 Express Package Service

FedEx Intl. Priority

FedEx Intl. First Higher rates apply.

FedEx Intl. Economy FedEx Envelope and FedEx Pak fees not available.

5 Packaging

FedEx Envelope

Other

FedEx Pak

FedEx Box

FedEx Tube

6 Special Handling

HOLD at FedEx Location

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April 26, 2007

David D. Nelson
Associate
(202) 637-6807
ddnelson@hhlaw.com

VIA FEDERAL EXPRESS

Mr. David Hillewaere
Legeweg 17, 9308
Aalst, Belgium

Re: U.S. Patent Application No. 10/538,664
Title: DATA MODEL DEVELOPMENT TOOL
Inventor(s): KEMP, Stephen J. et al.
Your Ref: D02-066/01472-00/US
Our Ref: 86769-0020

Dear Mr. Hillewaere:

The U.S. Patent and Trademark Office have directed us to obtain your signature on an invention declaration, and we have enclosed a new declaration. Please execute and return the declaration to us for us to file in the U.S. Patent and Trademark Office.

Also, enclosed for your records is a complete copy of the Application as filed in the above referenced matter.

Please feel free to contact us if you have any questions or comments.

Very truly yours,

David D. Nelson
DDN/nfb

Enclosures

**DECLARATION FOR PATENT APPLICATION**U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

ATTORNEY DOCKET NO.: 86769-0020

As a below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our name,

We believe we are the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DATA MODEL DEVELOPMENT TOOL

the specification of which:

☐ is attached hereto; or

☒ was filed as United States application Serial No. 10/538,664 on June 10, 2005 and was also filed as PCT international application number on _____ and was amended under PCT Article 19 on _____ (if applicable).

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose to the U.S. Patent and Trademark Office information which is material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR FOREIGN APPLICATION(S):

COUNTRY (if PCT, indicate PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
PCT	PCT/GB2002/005588	December 10, 2002	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

We hereby claim the benefits under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATIONS

U.S. PROVISIONAL APPLICATION NO.	U.S. FILING DATE

Declaration For Patent Application - (Continued)
(includes Reference to PCT International Application)

ATTORNEY DOCKET NO.: 86769-0020
Page 2 of 2

We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT:

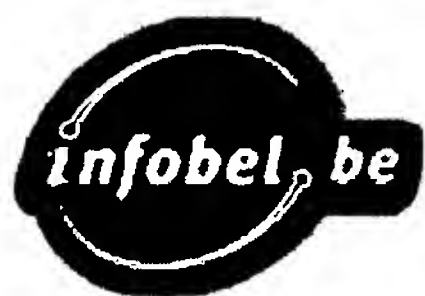
U.S. APPLICATIONS		STATUS (Check One)		
U.S. APPLICATION NO.	U.S. FILING DATE	PATENTED	PENDING	ABANDONED

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF SOLE OR FIRST INVENTOR	Stephen John KEMP		
RESIDENCE & CITIZENSHIP	Preston, United Kingdom	COUNTRY OF CITIZENSHIP Great Britain	
POST OFFICE ADDRESS	7 Carr Meadow, Preston PR5 8HR, UK		
FIRST OR SOLE INVENTOR'S SIGNATURE		DATE	
FULL NAME OF SECOND INVENTOR	Katherine A. NICHOLSON		
RESIDENCE & CITIZENSHIP	Fulham, United Kingdom	COUNTRY OF CITIZENSHIP Great Britain	
POST OFFICE ADDRESS	14A Elbe Street, Fulham SW6 2QP, United Kingdom		
SECOND INVENTOR'S SIGNATURE		DATE	

FULL NAME OF THIRD INVENTOR	Wim DECRAENE	
RESIDENCE & CITIZENSHIP		COUNTRY OF CITIZENSHIP Great Britain
POST OFFICE ADDRESS	60 Queen Victoria Street, London EC4N 4TW	
THIRD INVENTOR'S SIGNATURE		DATE
FULL NAME OF FORTH INVENTOR	David Hillewaere	
RESIDENCE & CITIZENSHIP	Aalst, Belgium	COUNTRY OF CITIZENSHIP Great Britain
POST OFFICE ADDRESS	Legeweg 17, 9308, Aalst, Belgium	
FORTH INVENTOR'S SIGNATURE		DATE

ATTACHMENT C



Pays : Belgium

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Search Result : 1 responses

1. Hillewaere-Pynoo David

Legeweg 17, 9308 Aalst

Phone: 053848275

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